CP 100K

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO 234 OF 2004.

PETITIONER

Mukund Mohani raj manohar, Jay kisan Beej Bhandar anand bhawan Gadeshram Nagar Raipur Tehsil and distt Raipur (C.G.)

P. R. No. 237/04
Presented by Shri Bitesh Bhuya
dated 21/1/04

VERSES

RESPONDENT

Anant Rai Majethiya aged about 63 year S/o Durlabji Majethiya R/o Civil lines Raipur, Tehsil and Distt-Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(33)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 234/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

16-4-2004

Shri Ritesh Ahuja, Advocate, for the petitioner.

Application for urgent hearing is allowed.

I.A. No. 597/2004 for urgent hearing is allowed.

Heard.

The petition has been filed against the order dated 9-10-2003 whereby the Court below has allowed an application for amendment filed by the respondent/plaintiff. The trial court has considered and allowed the application on the ground that if it is not allowed, it will result in multiplicity of proceedings. The trial Court had the jurisdiction and it had exercised the jurisdiction on sound reasons.

Having considered the facts and circumstances of the case and on perusal of the order of the Court below and in view of the law laid down by the Apex Court in the case of Surya Dev Rai vs Ramachander Rai reported in AIR 2003 SC 3044 as well as in the case of Ranjit Singh vs Ravi Prakash reported in JT2004 (4) SC 127, in the opinion of this Court, there is no error of jurisdiction nor any illegality in the impugned order warranting interference under Article 226/227 of the Constitution of India.

This petition fails and is dismissed.

Consequently, M.W.P.No. 206/2004 also stands disposed of.

Sd/-
Fakhruddin
Judge